

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

VERIZON VIRGINIA LLC and  
VERIZON SOUTH INC.,

Complainants,

v.

VIRGINIA ELECTRIC AND POWER COMPANY  
d/b/a DOMINION VIRGINIA POWER

Defendants

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) Docket No. \_\_\_\_\_

)  
) File No. \_\_\_\_\_  
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**MOTION FOR EXTENSION OF TIME TO FILE RESPONSE**

Virginia Electric and Power Company d/b/a Dominion Virginia Power (“Dominion”), by and through its undersigned counsel, and pursuant to 47 C.F.R. § 1.1407(a), respectfully requests that the Enforcement Bureau grant an extension of time of sixty (60) additional days within which Dominion may file its response to the Complaint in the above-captioned proceeding. The extended deadline for filing Dominion’s response, if granted pursuant to this Motion, would be November 2, 2015.

In support of this Motion, Dominion states as follows:

1. On August 3, 2015, Verizon Virginia LLC and Verizon South, Inc. (collectively, “Verizon”) filed with the FCC their pole attachment complaint in the above-captioned proceeding (“Complaint”). The Complaint is comprised of seven hundred (700) pages, including, among other supporting documents, affidavits of an expert economist, and of Verizon’s in-house subject matter expert, contract manager, and network engineer. Although Verizon’s demand for relief does not indicate any specific dollar amount, Verizon alleges that it is due to be refunded up to \$16.8 million paid to Dominion in annual pole attachment fees since 2011.

2. The Pole Attachment Rules provide, in general, that the respondent in a complaint proceeding shall file its response to the complaint within thirty (30) days of the date on which the complaint was filed.<sup>1</sup> On respondent's motion, and where proper justification is shown, however, the Enforcement Bureau may grant an extension of time to file the response.<sup>2</sup>

3. The extension of time requested by Dominion is reasonable in consideration of the enormous volume of materials to which Dominion must respond, and the substantial damages that Verizon claims it has suffered under the parties' current and predecessor joint use agreements. In particular, Dominion must retain its own economic expert to review and opine on the joint use rate calculation methodologies presented in the Complaint, and coordinate the appropriate individuals within its business units to prepare affidavits responding to those of Verizon's joint use managers. Given staggered vacation schedules during the summer months, the task of assembling the required resources to fully address the allegations set forth in the Complaint will be even more challenging. As the Pole Attachment Rules provide Dominion only one chance to defend itself against claims that total up to \$16.8 million, it is critical that Dominion is accorded sufficient time to prepare its best, and most complete response.

4. The extension of time requested will not prejudice Verizon, or cause undue delay in the proceedings before the Enforcement Bureau. Rather, the additional time requested will enable the Bureau to decide this matter according to its usual practices on a full record.

5. On August 7, 2015, counsel to Verizon agreed to an extension of time of thirty (30) additional days within which Dominion may file its response to the Complaint. Although Dominion appreciates the willingness of Verizon to accommodate its request, the full sixty (60) days requested herein is needed for Dominion to thoroughly respond to the allegations set forth in the Complaint.

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<sup>1</sup> 47 C.F.R. § 1.1407(a).

<sup>2</sup> *Id.*

WHEREFORE, for the reasons set forth herein, Dominion requests an extension of time of sixty (60) additional days within which Dominion may file its response to the Complaint.

Respectfully submitted,



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*Counsel to Dominion Virginia Power*

Dated: August 12, 2015

## CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2015, I caused a copy of the foregoing Motion for Extension of Time to File Response to be served on the following (service method indicated):

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